



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/659,215	09/11/2000	Howard Allan Abrams	004747.P006	5736

7590

08/14/2002

Glenn E Von Tersch
Blakely Sokoloff Taylor & Zafman LLP
12400 Wilshire Boulevard Seventh
Los Angeles, CA 90025-1026

EXAMINER

COBY, FRANTZ

ART UNIT

PAPER NUMBER

2171

DATE MAILED: 08/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/659,215

Applicant(s)
Abrams et al.

Examiner
Frantz Coby

Art Unit
2171



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Sep 11, 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above, claim(s) NONE is/are withdrawn from consideration.
- 5) ☒ Claim(s) NONE is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☒ Claim(s) NONE is/are objected to.
- 8) ☒ Claims NONE are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2171

This is in response to application filed on September 11, 2000 in which claims 1-22 are presented for examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 8-9, 10-11, 14-15 and 20-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Kanoh et al. U.S. Patent U.S. Patent 5,873,077.

As per claim 1, Kanoh et al. disclose a method for accessing information including "sending a query to a first set of users accessible by a first user, the query including information relevant to a request for information" (See Kanoh et al. Col. 4, lines 22-42). In particular, Kanoh et al. disclose the claimed limitations "receiving a response to the query from a second user" (See Kanoh et al. Col. 7, lines 3-8), "the second user a member of the first set of users, the response including information responsive to the query, the information accessible in a public portion of a system (See Kanoh et al. Col. 4, lines 37-42). The Applicant should duly note that Kanoh et al. disclose a network computer connected to the Internet. The Internet is not a single network, nor does it have any single owner or controller. Rather, the Internet is an unruly network of

Art Unit: 2171

networks, a confederation of many different networks for storing and processing public and private information. Therefore, the claimed feature “information accessible in a public portion of a system” is achieved through the computer network system of Kanoh et al. that is connected to the Internet.

As per claim 2, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant’s attention is directed to the rejection of claim 1 above. In addition, Kanoh et al. achieved the claimed feature “providing response from information accessible in a public portion of a system controlled at least in part by the second user” (See Kanoh et al. Col. 9, lines 9-15).

As per claim 8, all the limitations of this claim have been noted in the rejection of claim 1. It is therefore rejected as set forth above.

As per claim 9, most of the limitations of this claim have been noted in the rejection of claim 8. Applicant’s attention is directed to the rejection of claim 8 above. In addition, Kanoh et al. achieved the claimed features “logic block configured to interface with a user” and logic block configured to maintain a group of users” through the gateway (Figure 1, component 102).

Art Unit: 2171

As per claim 10, all the limitations of this claim have been noted in the rejection of claim

1. It is therefore rejected as set forth above.

As per claim 11, all the limitations of this claim have been noted in the rejection of claim

2. It is therefore rejected as set forth above.

As per claim 14, all the limitations of this claim have been noted in the rejection of claim

1. It is therefore rejected as set forth above.

As per claim 15, all the limitations of this claim have been noted in the rejection of claim

2. It is therefore rejected as set forth above.

As per claim 20, all the limitations of this claim have been noted in the rejection of claim

1. It is therefore rejected as set forth above.

As per claim 21, all the limitations of this claim have been noted in the rejection of claim

2. It is therefore rejected as set forth above.

Claim Rejections - 35 USC § 103

Art Unit: 2171

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 3-7, 12-13, 16-19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanoh et al. U.S. Patent no. 5,873,077.

As per claim 3, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above.

It is noted, that Kanoh et al. did not specifically detail the aspect of receiving a response from a third user. However, Kanoh et al. had suggested that a response for a requested document from a client may be sent by another user of the Web (See Kanoh et al. Col. 7, lines 3-8). Kanoh et al. also stated that the user may have received the document by other means (See Kanoh et al.

Art Unit: 2171

Col. 7, lines 9-14). The Applicant should duly note that the other means in question can be a third user of the Web.

Therefore, it would have obvious to one of ordinary skill in the art at the time of the invention to have modified the document searching and retrieving system of Kanoh et al. by following the suggested method above. The motivation being to have enhanced the versatility of Kanoh et al. by allowing it to permit a more efficient access to the web to individuals that do not have a computer connection to the Internet.

As per claims 4-7, most of the limitations of these claims have been noted in the rejection of claim 3. Applicant's attention is directed to the rejection of claim 3 above. In addition, the limitations of these claims are well known and are used for efficient data handling.

As per claims 12-13, all the limitations of these claims have been noted in the rejection of claims 3-7. It is therefore rejected as set forth above.

As per claim 16, all the limitations of this claim have been noted in the rejection of claim 3. It is therefore rejected as set forth above.

Art Unit: 2171

As per claims 17-19 most of the limitations of these claims have been noted in the rejection of claim 16. Applicant's attention is directed to the rejection of claim 16 above. In addition, the limitations of these claims are well known and are used for efficient data handling.

As per claim 22, all the limitations of this claim have been noted in the rejection of claim 3. It is therefore rejected as set forth above.

Conclusion

Any response to this action should be mailed to:

Commissioner of Patents and trademarks

Washington, D.C. 20231

or faxed to:

(703) 305-9051, (for formal communications

intended for entry)

Or:

(703) 308-5357 (for informal of draft

communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Art Unit: 2171

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is (703) 305-4006. The examiner can normally be reached Monday through Friday from 9:30 A.M. to 5:00 P.M.

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-14367. The Fax phone number for this Group is (703) 746-7238; (703) 746-7239; (703) 746-7240.



**FRANTZ COBY
PRIMARY EXAMINER**

Technology Center 2171

August 9, 2002